IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL REVISION APPLICATION NO. 24 OF 2003.

Sachima Agro Industries
Pvt. Ltd., Chandor. ... Applicants.

Versus

1. Skyline Acquatech Exports Ltd.,
2. Shri Peter J.R. Prabhu, Managing Director,
3. Smt. Carmel Prabhu, Director,
4. Shri S.R. Singh, Director,
5. Shri K.C. Nag, Director,
all c/o. Skyline Acquatech Exports Ltd., No. 80, III Cross Lavelle Road, Bangalore. ... Respondents.

Miss A. Razak, Advocate for the Applicants.

Mr. S.D. Lotlikar, Senior Advocate with Mr. A.D. Bhobe, Advocate for the Respondents.

Coram : P.V. HARDAS, J.

Date : 25th September 2003.

ORAL JUDGMENT.

By consent of the learned counsel for the parties, this Criminal Revision Application is being decided finally, at the stage of admission.

2. The applicants/original complainants, by filing this Criminal Revision Application, have assailed the Order of the learned IInd Additional Sessions Judge, Panaji, dated 14th February 2003, in Criminal Revision Application No. 54 of 2001, allowing the aforesaid Criminal Revision Application and permitting the applicants/original complainants therein to produce and rely upon the document, viz., the true extracts of the

Minutes of the Meeting of the Board of Directors of the company, held at Bangalore, on 16th May 1997, and even for the purpose of their application for re-call of process. The learned IInd Additional Sessions Judge had quashed and set aside the Order of the learned Judicial Magistrate, First Class, Panaji, dated 25th June 2001, dismissing the application filed by the accused seeking permission to produce the aforesaid document.

3. A detailed reference to the facts is not necessary as the Order of the learned IInd Additional Sessions Judge does not require any interference in revision. It is, however, clarified that in the event the respondents/accused propose to rely upon the document produced by them in support of their application for re-call of process, the learned Magistrate shall examine the question whether the aforesaid document can be taken into consideration while considering the plea raised by the respondents/accused in their application for re-call of process. The learned Magistrate shall also consider as to what weight can be given to the aforesaid document for considering the plea in the application for re-call of process.

4. With the aforesaid directions, this Criminal

Revision Application is disposed of.

(P.V. HARDAS)
JUDGE.

ed’s.